REMARKS

The present amendment and request for reconsideration is filed in response to the Office Action mailed August 25, 2003, the period of response having been extended to February 25, 2004. Claims 35-49 are pending in the application.

In the Office Action, the Examiner has objected to the drawings because they do not include FIGURE 3F. Applicants submit that FIGURE 3F was included in the originally submitted informal drawings to the left of FIGURE 3B. FIGURE 3F was inadvertently omitted from the formal drawings filed on April 23, 2001. Enclosed with this response is a new drawing sheet including FIGURE 3F. It is requested that the Examiner enter the new drawing sheet and withdraw the rejection.

In addition, the Examiner has objected to the specification on page 6, line 30. In response, applicants have amended the specification as requested by the Examiner.

Claims 1-14, 20, 22, and 28-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by Leipold. In order to advance prosecution and without surrendering any scope of protection, applicants are cancelling Claims 1-14, 20, 22, and 28-34 to be replaced with new Claims 35-49. These claims are directed to the same subject matter, namely methods of translating layout data for use by a mask writer, corresponding computer readable media containing instructions of the method and files for use by a mask writer that are prepared according to the methods. Although the rejected claims are canceled rendering the rejection moot, applicants submit that the reference does not anticipate the newly submitted claims.

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The Leipold reference cited by the Examiner discloses a mechanism for making a hierarchy consistent between a schematic file and a shapes file. As can be seen in Col. 4, line 20-Col. 5, line 30, the invention in the Leipold patent modifies cells within a hierarchy such that the hierarchy is consistent between a schematic file and a shapes file that is to be compared by a verification program. If there are multiple instances of a modified cell, new instances of the cell are created and the schematic modifier editor (SHME) repeats the step recursively traveling up the hierarchy tree. See Col. 4, lines 39-45. Once the hierarchy has been modified, the modified shapes file is then used to generate photo masks employing the desired shapes using conventional techniques. See Col. 5, lines 25-79. The masks in turn are used in conventional semiconductor manufacturing processes to produce product chips.

In contrast, the present invention is a technique for selectively reducing the hierarchy of a hierarchical input file for transfer to a mask writing tool without having to flatten the entire data file. Because the Leipold reference only suggests using "conventional techniques" to produce a mask, applicants submit that it cannot anticipate the subject matter of independent Claims 35, 41, 46, 47, 48, and 49 as well as the claims that depend thereon.

In light of the above, it is requested that the Examiner withdraw the rejection and pass this case to issue.

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Should the Examiner have any additional questions regarding the application, he is invited to call applicants' attorney at the number listed below.
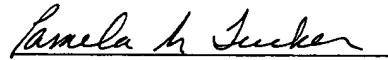
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: _February 24, 2004_   _Pamela A. Tucker_

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